

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SHAININ II, LLC, et al.,

Plaintiffs,

v.

JOHN ALLEN, et al.,

Defendants.

NO. C06-420P

ORDER ON PLAINTIFFS' MOTION  
TO MODIFY SCHEDULING ORDER  
AND TO FILE AMENDED  
COMPLAINT

This matter comes before the Court on Plaintiffs' motion to modify the scheduling order and to file an amended complaint. (Dkt. No. 101). Plaintiffs' proposed first amended complaint would significantly simplify the litigation in this Court, leaving only a breach of contract claim by Plaintiff Shainin LLC against Defendant John Allen. Plaintiffs have also requested that the Court stay the litigation of this remaining claim. Defendants have indicated that they do not oppose this motion.

Having reviewed the materials submitted by the parties and the balance of the record, the Court GRANTS Plaintiffs' unopposed motion. The Court ORDERS as follows:

- (1) The scheduling order (Dkt. No. 58) is amended to extend the deadline for filing amended pleadings to allow the filing of an amended complaint.
- (2) Plaintiff Shainin LLC is granted leave to file its First Amended Complaint.
- (3) Plaintiff's First Amended Complaint (as presented in Docket No. 102-2), will be deemed filed and served in this action as of the date of this Order.

Dated: November 16, 2006

<sup>1</sup> Notwithstanding the stay, the Court will entertain a motion by Defendants for attorney's fees as authorized by the Court's order of October 24, 2006 (Dkt. No. 100). If the Court does not receive such a motion by November 24, 2006, it will assume that the parties have stipulated to the amount of the fee award and that no further Court action is necessary.